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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SMITHKLINE BEECHAM
CORPORATION, d/b/a
GLAXOSMITHKLINE,

Plaintiff,

vs.

ABBOTT LABORATORIES,
Defendant.

) Case No. C 07-5702 CW

) *Related by Order to:*

) Case No. C 04-1511 CW

) **SUPPLEMENTAL RESPONSE TO**
) **ABBOTT LABORATORIES' FIRST SET**
) **OF REQUESTS FOR DOCUMENTS AND**
) **THINGS TO PLAINTIFF**

) The Honorable Judge Claudia Wilken

1 Pursuant to Federal Rule of Civil Procedure 34, plaintiff SmithKline Beecham Corporation
2 d/b/a GlaxoSmithKline ("GSK") responds to Defendant Abbott Laboratories' ("Abbott") First Set
3 of Requests for Production of Documents And Things ("Requests").

4 **GENERAL STATEMENT AND OBJECTIONS**

5 1. This response is made solely for the purpose of this action, and documents
6 identified and produced in response to the Requests are produced solely for purposes of this
7 action. This response is subject to all objections as to competence, relevance, materiality,
8 propriety and admissibility, and to any and all other objections on any grounds for exclusion of
9 evidence, all of which are expressly reserved and may be interposed at the time of trial. The
10 assertion of any objection to the Requests below is neither intended as, nor shall in any way be
11 deemed, a waiver of GSK's right to assert that or any other objection at a later date. Specific
12 objections to each Request are made on an individual basis in GSK's responses below. In addition
13 to these specific objections, GSK makes certain general objections to the Requests. These general
14 objections are hereby incorporated into the responses made with respect to each separate Request
15 as though set forth in full therein. For particular emphasis, GSK has, from time to time, expressly
16 included one or more of the general objections in the specific responses below. GSK's responses
17 to each individual Request are submitted without prejudice to, and without in any respect limiting
18 or waiving, any general objections not set forth in that response. In addition, the failure to include
19 at this time any general objection or specific objection to a specific Request is neither intended as,
20 nor shall be in any way deemed, a limitation or waiver of GSK's right to assert that or any other
21 objection at a later date. No incidental or implied admissions are intended by the responses below.
22 For example, an agreement by GSK to produce a category of documents is not intended as an
23 admission that any responsive documents were created or exist.

24 2. GSK objects to the Requests to the extent they call for the production of documents
25 that fall within the protection of the attorney-client privilege, the attorney work-product doctrine,
26 informer privilege, joint defense privilege, settlement privilege or any other applicable privilege or
27 doctrine. GSK also specifically objects to the requests to the extent they purport to place a burden
28 upon GSK to log privileged communications with outside litigation counsel of record or

1 documents created after the present suit was filed. To the extent any privileged document is
2 inadvertently produced, GSK reserves all its rights under Federal Rule of Civil Procedure 26.
3 GSK will identify the documents or information created before November 9, 2007, the date the
4 Complaint in this action was filed, for which it asserts a claim of privilege.

5 3. GSK objects to the Requests to the extent they seek the disclosure of information
6 that is not relevant to the subject matter of this action or that is not reasonably calculated to lead to
7 the discovery of admissible evidence.

8 4. GSK objects to the Requests to the extent they seek the disclosure of information
9 that is readily available from public sources, is equally available to Abbott, or is already in
10 Abbott's possession. By these responses, GSK undertakes no obligation to collect or produce any
11 public documents available to Abbott.

12 5. GSK objects to the Requests to the extent they seek to impose upon GSK greater
13 burdens than are established by the rules governing responses to requests for production.

14 6. GSK objects to the Requests as overbroad, oppressive, and unduly burdensome.
15 GSK particularly objects to Abbott's definition of "Plaintiff" and "you" as vague, overbroad,
16 oppressive, and unduly burdensome. GSK will treat these terms as referring to plaintiff GSK.
17 GSK also particularly objects to Abbott's definition of "Defendant" and "Abbott" as vague,
18 overbroad, oppressive, and unduly burdensome. GSK will treat these terms as referring to Abbott.
19 GSK further particularly objects to the definition of "License Agreement" as vague, ambiguous
20 and overbroad. GSK further objects to the definitions of the terms "Abbott Competitors," "Non-
21 Nucleoside Reverse Transcriptase Inhibitors," "NNRTIs," "Nucleotide/Nucleoside Reverse
22 Transcriptase Inhibitors," "NRTIs," "Protease Inhibitors," "PIs," "Entry Inhibitors," "Antiretroviral
23 Drugs," "ARV Drugs," and "Lexiva," as vague, ambiguous, unduly burdensome, harassing,
24 oppressive, and overbroad, particularly to the extent that these definitions purport to impose duties
25 beyond those imposed by the Federal Rules of Civil Procedure or the Local Rules.

26 7. GSK objects to the Requests as overbroad, oppressive, and unduly burdensome to
27 the extent they request documents without any time limitation. GSK will produce documents
28 created from January 1, 1999 to December 31, 2004, unless otherwise specified.

1 8. GSK objects to the Requests as a whole based on their duplicative and redundant
2 nature. GSK's response to any particular Request does not in any way imply or express that such
3 Request is unique or covers subject matter different in scope from that of prior or succeeding
4 requests.

5 9. GSK objects to the Requests to the extent they purport to require GSK to search for
6 documents and files that are not within GSK's possession, custody or control. GSK will use
7 reasonable diligence to locate documents in facilities directly under its control based upon an
8 examination of those files reasonably expected to yield responsive documents.

9 10. GSK objects to the Requests to the extent they seek documents that GSK is not
10 permitted to disclose pursuant to protective orders or confidentiality obligations or agreements
11 with third parties.

12 11. GSK's responses, while based on diligent exploration by GSK and its counsel,
13 reflect the current state of GSK's knowledge, understanding, and belief with regard to matters
14 about which inquiry has been made. Discovery in this case is not complete, and consequently,
15 GSK continues to investigate the facts relating to this action. GSK anticipates that, as this action
16 proceeds, further facts or documents may be discovered, or their significance better understood,
17 and GSK reserves the right to modify or supplement its responses with such pertinent documents.
18 Furthermore, these responses are given without prejudice to GSK's right to use or rely on at any
19 time, including trial, any subsequently discovered documents, or any documents omitted from this
20 production by inadvertence, oversight, or otherwise.

21 12. GSK objects to the Definitions and Instructions of the Requests to the extent they
22 purport to impose duties beyond those imposed by the Federal Rules of Civil Procedure or the
23 Local Rules. GSK will comply with the Federal Rules of Civil Procedure and the Local Rules.

24 Subject to the foregoing General Objections, all of which are incorporated by reference
25 below in each separate response, GSK responds to Abbott's Requests as follows:
26
27
28

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly as to the term “potency.” The request is also vague and ambiguous because it takes out of context the term “potency advantage,” it presumes facts, and it does not clearly specify to which document it is referring. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents concerning the therapeutic performance, safety or efficacy of GSK's protease inhibitors located after a reasonable search and Kaletra when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request No. 18.

REQUEST FOR PRODUCTION NO. 3:

All documents relating to the reason or reasons GSK has “consistently assumed Kaletra remains market leader,” as noted in the internal GSK document titled “908 Competitive Position.”

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly in that the request takes out of context the phrase “consistently assumed Kaletra remains market leader,” it presumes facts, and it does not clearly specify to which document it is referring. GSK further objects to this request as based on statements subject to proof. GSK further objects to this request to the extent that it calls for production of documents and information that are protected by the attorney-client privilege, the

1 informer privilege, the attorney work-product doctrine or any other applicable privilege or
2 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
3 that is readily available from public sources, is equally available to Abbott, or is already in
4 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
5 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
6 agreements with third parties.

7 **REQUEST FOR PRODUCTION NO. 4:**

8 All documents relating to or discussing the "PR risk" of Lexiva's pricing structure, as
9 noted in the internal GSK document titled "908 Overview."

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

11 GSK incorporates by reference its General Objections. GSK further specifically objects to
12 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
13 objects to this request as vague and ambiguous, particularly in that the request takes out of context
14 the term "PR risk," it presumes facts, and it does not clearly specify to which document it is
15 referring. GSK further objects to this request as based on statements subject to proof. GSK
16 further objects to this request to the extent that this request calls for production of documents and
17 information that are protected by the attorney-client privilege, the informer privilege, the attorney
18 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
19 request to the extent it seeks the disclosure of information that is readily available from public
20 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
21 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
22 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
23 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
24 after a reasonable search concerning marketing, pricing and forecasting for GSK's protease
25 inhibitors, which GSK believes will include the requested documents.

26 **REQUEST FOR PRODUCTION NO. 5:**

27 All documents relating to or discussing GSK's concern that ritonavir boosting "cuts
28 revenue per patient by half!!" as noted in the internal GSK document titled "908 Overview."

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly in that the request takes out of context the phrase “cuts revenue per patient by half!!” it presumes facts, and it does not clearly specify to which document it is referring. GSK objects to this request as based on statements subject to proof. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search concerning marketing, pricing and forecasting for GSK's protease inhibitors, which GSK believes will include the requested documents.

REQUEST FOR PRODUCTION NO. 6:

All documents relating to any perception that Agenerase is or was an inferior drug, including those that discuss the “AGN [Agenerase] baggage” on Lexiva's performance, as noted in the internal GSK document titled “908 Positioning.”

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly in that the request takes out of context the phrase “AGN [Agenerase] baggage,” it presumes facts, and it does not clearly specify to which document it is referring. GSK further objects to this request as based on statements subject to proof. GSK further objects to this request to the extent that this request calls for production of

1 documents and information that are protected by the attorney-client privilege, the attorney work-
2 product doctrine or any other applicable privilege or immunity. GSK further objects to this
3 request to the extent it seeks the disclosure of information that is readily available from public
4 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
5 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
6 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
7 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
8 after a reasonable search relating to the therapeutic performance, safety or efficacy of Lexiva and
9 Agenerase when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request No.
10 18.

11 **REQUEST FOR PRODUCTION NO. 7:**

12 All documents related to Pete Hare's (VP, HIV Business Unit, HIV Division) presentation
13 to investors on September 17, 2007 in Philadelphia, PA, including: (i) documents supporting his
14 presentation; and (ii) any transcript or recording of his presentation.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

16 GSK incorporates by reference its General Objections. GSK objects to this request to the
17 extent it seeks documents not reasonably calculated to lead to the discovery of admissible
18 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
19 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
20 GSK further objects to this request to the extent that this request calls for production of documents
21 and information that are protected by the attorney-client privilege, the informer privilege, the
22 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
23 objects to this request to the extent it seeks the disclosure of information that is readily available
24 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
25 further objects to this request to the extent it seeks documents that GSK is not permitted to
26 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
27 parties. Subject to the foregoing Specific and General Objections, GSK will produce
28 nonprivileged documents responsive to this request that are located after a reasonable search.

1 **REQUEST FOR PRODUCTION NO. 8:**

2 All press releases related to Lexiva.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

4 GSK incorporates by reference its General Objections. GSK further specifically objects to
5 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
6 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
7 that this request calls for production of documents and information that are protected by the
8 attorney-client privilege, the attorney work-product doctrine or any other applicable privilege or
9 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
10 that is readily available from public sources, is equally available to Abbott, or is already in
11 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
12 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
13 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will
14 produce nonprivileged documents responsive to this request that are located after a reasonable
15 search.

16 **REQUEST FOR PRODUCTION NO. 9:**

17 All copies of "HIV Strategy Updates."

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

19 GSK incorporates by reference its General Objections. GSK objects to this request to the
20 extent it seeks documents not reasonably calculated to lead to the discovery of admissible
21 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
22 unduly burdensome and oppressive, particularly to the extent this request seeks documents
23 unbounded by a relevant time period or subject matter. GSK further objects to this request as
24 vague and ambiguous, particularly as to the term "HIV Strategy Updates." GSK further objects to
25 this request to the extent that this request calls for production of documents and information that
26 are protected by the attorney-client privilege, the informer privilege, the attorney work-product
27 doctrine or any other applicable privilege or immunity. GSK further objects to this request to the
28 extent it seeks the disclosure of information that is readily available from public sources, is

1 equally available to Abbott, or is already in Abbott's possession. GSK further objects to this
2 request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
3 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
4 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
5 after a reasonable search concerning marketing, pricing and forecasting for GSK's protease
6 inhibitors, which GSK believes will include the requested documents.

7 **REQUEST FOR PRODUCTION NO. 10:**

8 All copies of the "Strategic Brand Plan" for Lexiva.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

10 GSK incorporates by reference its General Objections. GSK further specifically objects to
11 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
12 objects to this request as vague and ambiguous, particularly as to the term "Strategic Brand Plan."
13 GSK further objects to this request to the extent that this request calls for production of documents
14 and information that are protected by the attorney-client privilege, the informer privilege, the
15 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
16 objects to this request to the extent it seeks the disclosure of information that is readily available
17 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
18 further objects to this request to the extent it seeks documents that GSK is not permitted to
19 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
20 parties. Subject to the foregoing Specific and General Objections, GSK will produce
21 nonprivileged documents located after a reasonable search concerning marketing, pricing and
22 forecasting for GSK's protease inhibitors, which GSK believes will include the requested
23 documents.

24 **REQUEST FOR PRODUCTION NO. 11:**

25 All documents relating to and discussing each of your price increases on Lexiva, including
26 your price increases on or about January 2004, January 2005, January 2006, December 2006, and
27 August 2007.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search concerning marketing, pricing and forecasting for GSK's protease inhibitors.

REQUEST FOR PRODUCTION NO. 12:

All documents that discuss Lexiva's performance in the marketplace and any factors impacting Lexiva's performance, including, but not limited to: (i) the timing of Lexiva's launch and, particularly, the fact that it post-dated the launch of Reyataz; (ii) the performance of Agenerase; and (iii) the proximity of the Lexiva launch to the holiday season.

RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly as to the term "performance." GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to

1 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
2 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
3 after a reasonable search concerning marketing, pricing and forecasting for GSK's protease
4 inhibitors, which GSK believes will include the requested documents.

5 **REQUEST FOR PRODUCTION NO. 13:**

6 All documents relating to your plan or strategy, at any time, to convert patients from
7 Agenerase to Lexiva.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

9 GSK incorporates by reference its General Objections. GSK objects to this request to the
10 extent it seeks documents not reasonably calculated to lead to the discovery of admissible
11 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
12 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
13 GSK further objects to this request to the extent that this request calls for production of documents
14 and information that are protected by the attorney-client privilege, the informer privilege, the
15 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
16 objects to this request to the extent it seeks the disclosure of information that is readily available
17 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
18 further objects to this request to the extent it seeks documents that GSK is not permitted to
19 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
20 parties. Subject to the foregoing Specific and General Objections, GSK will produce
21 nonprivileged documents located after a reasonable search concerning marketing, pricing and
22 forecasting for GSK's protease inhibitors, which GSK believes will include the requested
23 documents.

24 **REQUEST FOR PRODUCTION NO. 14:**

25 All documents relating to clinical studies of Lexiva, including all documents relating to the
26 KLEAN, ALERT, and CONTEXT studies.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14:

GSK incorporates by reference its General Objections. GSK objects to this request to the extent it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search relating to the therapeutic performance, safety or efficacy of Lexiva and Agenerase when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request No. 18.

REQUEST FOR PRODUCTION NO. 15:

All documents relating to your decision to proceed with the KLEAN, ALERT, CONTEXT and any other clinical studies on Lexiva.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

GSK incorporates by reference its General Objections. GSK objects to this request to the extent it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly as to the term "decision to proceed." GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the

1 disclosure of information that is readily available from public sources, is equally available to
2 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
3 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
4 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
5 General Objections, GSK will produce nonprivileged documents located after a reasonable search
6 relating to the therapeutic performance, safety or efficacy of Lexiva and Agenerase when used to
7 treat HIV/AIDS. GSK also refers Abbott to its response to Request No. 18.

8 **REQUEST FOR PRODUCTION NO. 16:**

9 All publications resulting from the KLEAN, ALERT, and CONTEXT studies.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

11 GSK incorporates by reference its General Objections. GSK objects to this request to the
12 extent it seeks documents not reasonably calculated to lead to the discovery of admissible
13 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
14 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
15 GSK further objects to this request to the extent that this request calls for production of documents
16 and information that are protected by the attorney-client privilege, the informer privilege, the
17 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
18 objects to this request to the extent it seeks the disclosure of information that is readily available
19 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
20 further objects to this request to the extent it seeks documents that GSK is not permitted to
21 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
22 parties. Subject to the foregoing Specific and General Objections, GSK will produce
23 nonprivileged documents located after a reasonable search relating to the therapeutic performance,
24 safety or efficacy of Lexiva and Agenerase when used to treat HIV/AIDS. GSK also refers Abbott
25 to its response to Request No. 18.

26 **REQUEST FOR PRODUCTION NO. 17:**

27 All adverse event reports relating to Lexiva.
28

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

GSK incorporates by reference its General Objections. GSK objects to this request to the extent it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly as to the term “adverse event reports.” GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search relating to the therapeutic performance, safety or efficacy of Lexiva and Agenerase when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request No. 18.

REQUEST FOR PRODUCTION NO. 18:

New Drug Application (“NDA”) No. 21-548.

RESPONSE TO REQUEST FOR PRODUCTION NO. 18:

GSK incorporates by reference its General Objections. GSK objects to this request to the extent it seeks documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. Subject to and without waiving the foregoing General and Specific Objections, GSK will produce the requested document for inspection.

REQUEST FOR PRODUCTION NO. 19:

All documents concerning the allegations in your Complaint, including: (i) documents you used, relied upon or referenced in drafting your Complaint; and (ii) documents that support the allegations in your Complaint.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because this request, if read literally, encompasses every document relating to GSK's business in designing, developing, manufacturing, selling and distributing protease inhibitors. Further, GSK objects because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 20:

All documents you intend to introduce or rely upon at trial.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK objects to this request as premature. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. GSK will identify documents it may introduce as evidence at trial at the time and in the manner specified in the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Local Rules, and any other applicable Orders or rules.

REQUEST FOR PRODUCTION NO. 21:

All documents received or obtained from Abbott Competitors during the course of this litigation that relate in any way to the subject matter, underlying facts or claims set forth in your Complaint, including all documents obtained pursuant to subpoena.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as relates to the term "Abbott Competitors." GSK objects to this request as vague and ambiguous and failing to describe with reasonable particularity the documents requested for production. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, is already in Abbott's possession, or has been produced by

Abbott to GSK or plaintiffs in the related cases. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 22:

All documents identified in your responses to Abbott's interrogatories, or referred to or relied upon in preparing such responses.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents identified in its responses to Abbott's interrogatories.

REQUEST FOR PRODUCTION NO. 23:

All documents relating to the pricing of your ARV Drugs and the factors that determine how you set the prices for such drugs.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

GSK incorporates by reference its General Objections. GSK objects to this request to the extent it seeks documents not reasonably calculated to lead to the discovery of admissible

1 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
2 unduly burdensome and oppressive, particularly as relates to the term "ARV Drugs." GSK further
3 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
4 that this request calls for production of documents and information that are protected by the
5 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
6 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
7 disclosure of information that is readily available from public sources, is equally available to
8 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
9 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
10 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
11 General Objections, GSK will produce nonprivileged documents located after a reasonable search
12 concerning marketing, pricing, and forecasting for GSK's protease inhibitors, which GSK believes
13 will include the requested documents to the extent these documents concern GSK's protease
14 inhibitors when used to treat HIV/AIDS.

15 **REQUEST FOR PRODUCTION NO. 24:**

16 All documents and communications relating to any discussions with Abbott concerning the
17 License Agreement.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

19 GSK incorporates by reference its General Objections. GSK further specifically objects to
20 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
21 objects to this request as vague and ambiguous, particularly as to the term "License Agreement."
22 GSK further objects to this request to the extent that this request calls for production of documents
23 and information that are protected by the attorney-client privilege, the informer privilege, the
24 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
25 objects to this request to the extent it seeks the disclosure of information that is readily available
26 from public sources, is equally available to Abbott, or is already in Abbott's possession. Subject to
27 the foregoing Specific and General Objections, GSK will produce nonprivileged documents
28 located after a reasonable search relating to any discussions with Abbott concerning the agreement

1 between Abbott and GSK dated December 13, 2002 concerning coprescription and
2 coadministration rights to ritonavir.

3 **REQUEST FOR PRODUCTION NO. 25:**

4 All documents relating to your pricing and profit strategies for your ARV drugs.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

6 GSK incorporates by reference its General Objections. GSK objects to this request to the
7 extent it seeks documents not reasonably calculated to lead to the discovery of admissible
8 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
9 unduly burdensome and oppressive, particularly as relates to the term "ARV Drugs." GSK further
10 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
11 that this request calls for production of documents and information that are protected by the
12 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
13 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
14 disclosure of information that is readily available from public sources, is equally available to
15 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
16 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
17 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
18 General Objections, GSK will produce nonprivileged documents as set forth in its response to
19 Request Nos. 23 and 26.

20 **REQUEST FOR PRODUCTION NO. 26:**

21 All price-related analysis relating to Lexiva.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

23 GSK incorporates by reference its General Objections. GSK further specifically objects to
24 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
25 objects to this request as vague and ambiguous, particularly as to the term "price-related." GSK
26 further objects to this request to the extent that this request calls for production of documents and
27 information that are protected by the attorney-client privilege, the informer privilege, the attorney
28 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this

1 request to the extent it seeks the disclosure of information that is readily available from public
2 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
3 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
4 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
5 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
6 after a reasonable search concerning marketing, pricing and forecasting for GSK's protease
7 inhibitors, which GSK believes will include the requested documents.

8 **REQUEST FOR PRODUCTION NO. 27:**

9 All communications relating to the price of your ARV Drugs, including all complaints and
10 concerns that your ARV Drugs are priced too high.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

12 GSK incorporates by reference its General Objections. GSK further objects to the extent
13 this request seeks documents not reasonably calculated to lead to the discovery of admissible
14 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
15 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous,
16 particularly as relates to the term "ARV Drugs." GSK further objects to this request to the extent
17 that this request calls for production of documents and information that are protected by the
18 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
19 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
20 disclosure of information that is readily available from public sources, is equally available to
21 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
22 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
23 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
24 General Objections, GSK will produce nonprivileged documents located after a reasonable search
25 concerning marketing, pricing and forecasting for GSK's protease inhibitors, which GSK believes
26 will include the requested documents to the extent these documents concern GSK's protease
27 inhibitors when used to treat HIV/AIDS.

1 **REQUEST FOR PRODUCTION NO. 28:**

2 All marketing materials relating to your ARV Drugs.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

4 GSK incorporates by reference its General Objections. GSK further objects to the extent
5 this request seeks documents not reasonably calculated to lead to the discovery of admissible
6 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
7 unduly burdensome and oppressive, particularly to as relates to the term "ARV Drugs." GSK
8 further objects to this request as vague and ambiguous. GSK further objects to this request to the
9 extent that this request calls for production of documents and information that are protected by the
10 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
11 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
12 disclosure of information that is readily available from public sources, is equally available to
13 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
14 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
15 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
16 General Objections, GSK will produce nonprivileged documents located after a reasonable search
17 concerning marketing, pricing and forecasting for GSK's protease inhibitors, which GSK believes
18 will include the requested documents to the extent these documents concern GSK's protease
19 inhibitors when used to treat HIV/AIDS.

20 **REQUEST FOR PRODUCTION NO. 29:**

21 All market research materials related to Lexiva, including all internal and third party (e.g.,
22 TVG and EIDETICS) marketing research and analysis materials.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

24 GSK incorporates by reference its General Objections. GSK further specifically objects to
25 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
26 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
27 that this request calls for production of documents and information that are protected by the
28 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other

1 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
2 disclosure of information that is readily available from public sources, is equally available to
3 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
4 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
5 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
6 General Objections, GSK will produce nonprivileged documents located after a reasonable search
7 concerning marketing of GSK's protease inhibitors.

8 **REQUEST FOR PRODUCTION NO. 30:**

9 All Board of Director Minutes and materials related to Lexiva.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

11 GSK incorporates by reference its General Objections. GSK further objects to the extent
12 this request seeks documents not reasonably calculated to lead to the discovery of admissible
13 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
14 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous,
15 particularly as to the term "Board of Directors ... materials." GSK further objects to this request
16 to the extent that this request calls for production of documents and information that are protected
17 by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any
18 other applicable privilege or immunity. GSK further objects to this request to the extent it seeks
19 the disclosure of information that is readily available from public sources, is equally available to
20 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
21 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
22 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
23 General Objections, GSK will produce nonprivileged Board of Directors Minutes and
24 presentations relating to the marketing, pricing, and forecasting for Lexiva located after a
25 reasonable search.

26 **REQUEST FOR PRODUCTION NO. 31:**

27 All documents discussing your strategy or strategies for marketing your ARV Drugs.
28

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as relates to the term "ARV Drugs." GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search concerning marketing of GSK's protease inhibitors, which GSK believes will include the requested documents to the extent these documents concern GSK's protease inhibitors when used to treat HIV/AIDS.

REQUEST FOR PRODUCTION NO. 32:

All documents sufficient to calculate the total research and development costs of each of your ARV Drugs.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as relates to the term "ARV Drugs." GSK further objects to this request as vague and ambiguous, particularly as to the terms "research and development" and "costs." GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents, created

1 from January 1, 1999 to the present, located after a reasonable search sufficient to calculate the
2 total research and development costs for Lexiva and Agenerase.

3 **REQUEST FOR PRODUCTION NO. 33:**

4 All licensing agreements related to your ARV Drugs, including all licenses related to
5 Lexiva (fosamprenavir).

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

7 GSK incorporates by reference its General Objections. GSK further specifically objects to
8 this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as
9 relates to the term "ARV Drugs." GSK further objects to this request as vague and ambiguous,
10 particularly as to the term "related to." GSK further objects to this request to the extent it seeks
11 the disclosure of information that is readily available from public sources, is equally available to
12 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
13 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
14 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
15 General Objections, GSK will produce license agreements entered into from January 1, 1999 to
16 the present concerning the intellectual property embodied in Agenerase (amprenavir) and/or
17 Lexiva (fosamprenavir) or concerning the ability of GSK to promote Agenerase and/or Lexiva to
18 be coadministered and copromoted with ritonavir that are located after a reasonable search.

19 **REQUEST FOR PRODUCTION NO. 34:**

20 All documents relating to or discussing Norvir (ritonavir, RTV).

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

22 GSK incorporates by reference its General Objections. GSK further objects to the extent
23 this request seeks documents not reasonably calculated to lead to the discovery of admissible
24 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
25 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
26 GSK further objects to this request to the extent that this request calls for production of documents
27 and information that are protected by the attorney-client privilege, the informer privilege, the
28 attorney work-product doctrine or any other applicable privilege or immunity. GSK further

1 objects to this request to the extent it seeks the disclosure of information that is readily available
2 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
3 further objects to this request to the extent it seeks documents that GSK is not permitted to
4 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
5 parties. Subject to the foregoing Specific and General Objections, GSK will produce
6 nonprivileged documents located after a reasonable search relating to the use of Norvir to treat
7 HIV/AIDS.

8 **REQUEST FOR PRODUCTION NO. 35:**

9 All documents relating to or discussing Kaletra (lopinavir/ritonavir).

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 35:**

11 GSK incorporates by reference its General Objections. GSK further objects to the extent
12 this request seeks documents not reasonably calculated to lead to the discovery of admissible
13 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
14 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
15 GSK further objects to this request to the extent that this request calls for production of documents
16 and information that are protected by the attorney-client privilege, the informer privilege, the
17 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
18 objects to this request to the extent it seeks the disclosure of information that is readily available
19 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
20 further objects to this request to the extent it seeks documents that GSK is not permitted to
21 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
22 parties. Subject to the foregoing Specific and General Objections, GSK will produce
23 nonprivileged documents located after a reasonable search relating to the use of Kaletra to treat
24 HIV/AIDS.

25 **REQUEST FOR PRODUCTION NO. 36:**

26 All documents relating to the life cycle strategy of amprenavir and fosamprenavir.
27
28

RESPONSE TO REQUEST FOR PRODUCTION NO. 36:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly as to the term "life cycle strategy." GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search concerning marketing, pricing and forecasting for GSK's protease inhibitors, which GSK believes will include the requested documents.

REQUEST FOR PRODUCTION NO. 37:

All communications, including all letters and e-mails, relating to Norvir's price increase.

RESPONSE TO REQUEST FOR PRODUCTION NO. 37:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and

1 General Objections, GSK will produce nonprivileged documents responsive to this request located
2 after a reasonable search.

3 **REQUEST FOR PRODUCTION NO. 38:**

4 All communications, including all letters and e-mails, with any television or newspaper
5 reporters (or their employees or staff) related to Norvir, Kaletra and/or Norvir's price increase.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

7 See GSK's Response to Request No. 37.

8 **REQUEST FOR PRODUCTION NO. 39:**

9 All documents discussing your (or any of your ARV Drugs') share of the ARV Drug
10 market.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

12 GSK incorporates by reference its General Objections. GSK further objects to the extent
13 this request seeks documents not reasonably calculated to lead to the discovery of admissible
14 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
15 unduly burdensome and oppressive, particularly as relates to the term "ARV Drugs." GSK further
16 objects to this request as vague and ambiguous, particularly as to the term "ARV Drug market."
17 GSK further objects to this request to the extent that this request calls for production of documents
18 and information that are protected by the attorney-client privilege, the informer privilege, the
19 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
20 objects to this request to the extent it seeks the disclosure of information that is readily available
21 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
22 further objects to this request to the extent it seeks documents that GSK is not permitted to
23 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
24 parties. Subject to the foregoing Specific and General Objections, GSK will produce
25 nonprivileged documents located after a reasonable search that GSK believes will be sufficient to
26 show market share from January 1, 1999 to the present to the extent these documents concern
27 GSK's protease inhibitors when used to treat HIV/AIDS.

1 **REQUEST FOR PRODUCTION NO. 40:**

2 All documents discussing your (or any of your ARV Drugs') share of the "market for PI
3 boosters" as that term is used in your Complaint.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

5 GSK incorporates by reference its General Objections. GSK further objects to the extent
6 this request seeks documents not reasonably calculated to lead to the discovery of admissible
7 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
8 unduly burdensome and oppressive, particularly as relates to the term "ARV Drugs." GSK further
9 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
10 that this request calls for production of documents and information that are protected by the
11 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
12 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
13 disclosure of information that is readily available from public sources, is equally available to
14 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
15 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
16 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
17 General Objections, GSK will produce nonprivileged documents located after a reasonable search
18 that GSK believes will be sufficient to show market share from January 1, 1999 to the present to
19 the extent these documents concern GSK's protease inhibitors when used to treat HIV/AIDS.

20 **REQUEST FOR PRODUCTION NO. 41:**

21 All documents used in calculating the respective market shares of Lexiva and/or Kaletra in
22 the "market for PI boosters," as that term is used in your Complaint.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 41:**

24 GSK incorporates by reference its General Objections. GSK further specifically objects to
25 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
26 objects to this request as vague and ambiguous, particularly as to the term "used in calculating."
27 GSK further objects to this request to the extent that this request calls for production of documents
28 and information that are protected by the attorney-client privilege, the informer privilege, the

1 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
2 objects to this request to the extent it seeks the disclosure of information that is readily available
3 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
4 further objects to this request to the extent it seeks documents that GSK is not permitted to
5 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
6 parties. Subject to the foregoing Specific and General Objections, GSK will produce
7 nonprivileged documents located after a reasonable search concerning marketing, pricing and
8 forecasting for GSK's protease inhibitors, which GSK believes will include the requested
9 documents.

10 **REQUEST FOR PRODUCTION NO. 42:**

11 All documents relating to your forecasting or projections concerning the ARV Drug
12 market.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 42:**

14 GSK incorporates by reference its General Objections. GSK further objects to this request
15 as seeking documents not reasonably calculated to lead to admissible evidence. GSK further
16 specifically objects to this request on the grounds that it is overbroad, unduly burdensome and
17 oppressive, particularly as relates to the term "ARV Drug." GSK further objects to this request as
18 vague and ambiguous, as to the term "ARV Drug market." GSK further objects to this request to
19 the extent that this request calls for production of documents and information that are protected by
20 the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any
21 other applicable privilege or immunity. GSK further objects to this request to the extent it seeks
22 the disclosure of information that is readily available from public sources, is equally available to
23 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
24 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
25 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
26 General Objections, GSK will produce nonprivileged documents that constitute forecasts for
27 GSK's protease inhibitors that are located after a reasonable search.

1 **REQUEST FOR PRODUCTION NO. 43:**

2 All documents relating to your forecasting or projections concerning the “market for PI
3 boosters,” as that term is used in your Complaint.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

5 See GSK’s Response to Request No. 42.

6 **REQUEST FOR PRODUCTION NO. 44:**

7 All documents relating to your forecasting or projections concerning revenue and/or sales
8 of Kaletra, Norvir, Reyataz and/or Lexiva.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

10 GSK incorporates by reference its General Objections. GSK further specifically objects to
11 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
12 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
13 that this request calls for production of documents and information that are protected by the
14 attorney-client privilege, the informer privilege the attorney work-product doctrine or any other
15 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
16 disclosure of information that is readily available from public sources, is equally available to
17 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
18 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
19 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
20 General Objections, GSK will produce nonprivileged documents located after a reasonable search
21 concerning marketing, pricing and forecasting for GSK’s protease inhibitors, which GSK believes
22 will include the requested documents.

23 **REQUEST FOR PRODUCTION NO. 45:**

24 All documents relating to the different factors that influence physician prescribing
25 practices or preferences for ARV Drugs, including any research revealing physician prescribing
26 preferences and the factors influencing ARV Drug prescriptions.

RESPONSE TO REQUEST FOR PRODUCTION NO. 45:

GSK incorporates by reference its General Objections. GSK objects to this request as seeking documents not reasonably calculated to lead to admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as relates to the term “ARV Drugs.” GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce such nonprivileged documents relating to physician prescribing practices and preferences for GSK's protease inhibitors that are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 46:

All documents relating to the different factors that influence patient preferences for ARV Drugs, including any research revealing patient preferences and the factors influencing ARV Drug prescriptions or adherence.

RESPONSE TO REQUEST FOR PRODUCTION NO. 46:

GSK incorporates by reference its General Objections. GSK further objects to this request as seeking documents not reasonably calculated to lead to admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as to the term “ARV Drugs.” GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information

1 that is readily available from public sources, is equally available to Abbott, or is already in
2 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
3 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
4 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will
5 produce nonprivileged documents located after a reasonable search relating to patient preferences
6 for GSK's protease inhibitors.

7 **REQUEST FOR PRODUCTION NO. 47:**

8 All documents that relate to or discuss the validity and/or enforceability of the Abbott
9 Patents.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 47:**

11 GSK incorporates by reference its General Objections. GSK further objects to this request
12 as seeking documents that are not reasonably calculated to lead to the discovery of admissible
13 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
14 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
15 GSK further objects to this request to the extent that this request calls for production of documents
16 and information that are protected by the attorney-client privilege, the informer privilege, the
17 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
18 objects to this request to the extent it seeks the disclosure of information that is readily available
19 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
20 further objects to this request to the extent it seeks documents that GSK is not permitted to
21 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
22 parties.

23 **REQUEST FOR PRODUCTION NO. 48:**

24 All other documents relating to the Abbott Patents, including but not limited to documents
25 that discuss the scope, meaning, and/or interpretation of such patents or any claims therein.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 48:**

27 GSK incorporates by reference its General Objections. GSK further objects to this request
28 as seeking documents that are not reasonably calculated to lead to the discovery of admissible

1 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
2 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
3 GSK further objects to this request to the extent that this request calls for production of documents
4 and information that are protected by the attorney-client privilege, the informer privilege, the
5 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
6 objects to this request to the extent it seeks the disclosure of information that is readily available
7 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
8 further objects to this request to the extent it seeks documents that GSK is not permitted to
9 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
10 parties.

11 **REQUEST FOR PRODUCTION NO. 49:**

12 All prior art documents to the Abbott Patents.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 49:**

14 GSK incorporates by reference its General Objections. GSK further objects to this request
15 as seeking documents that are not reasonably calculated to lead to the discovery of admissible
16 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
17 unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous.
18 GSK further objects to this request to the extent that this request calls for production of documents
19 and information that are protected by the attorney-client privilege, the informer privilege, the
20 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
21 objects to this request to the extent it seeks the disclosure of information that is readily available
22 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
23 further objects to this request to the extent it seeks documents that GSK is not permitted to
24 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
25 parties.

26 **REQUEST FOR PRODUCTION NO. 50:**

27 All documents relating to any government investigation into or concerning one or more of
28 your ARV Drugs.

RESPONSE TO REQUEST FOR PRODUCTION NO. 50:

GSK incorporates by reference its General Objections. GSK further objects to this request as seeking documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as relates to the term “your ARV Drugs.” GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties.

REQUEST FOR PRODUCTION NO. 51:

All documents relating to any government investigation into or concerning the pricing of one or more of your ARV Drugs.

RESPONSE TO REQUEST FOR PRODUCTION NO. 51:

GSK incorporates by reference its General Objections. GSK further objects to this request as seeking documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as relates to the term “ARV Drugs.” GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession.

1 **REQUEST FOR PRODUCTION NO. 52:**

2 All FDA warning letters in the last ten years that relate in any way to one or more of your
3 ARV drugs.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

5 GSK incorporates by reference its General Objections. GSK further objects to this request
6 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
7 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
8 burdensome and oppressive, particularly as relates to the term "ARV Drugs" and to the overly
9 broad time period. GSK further objects to this request as vague and ambiguous. GSK further
10 objects to this request to the extent that this request calls for production of documents and
11 information that are protected by the attorney-client privilege, the informer privilege, the attorney
12 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
13 request to the extent it seeks the disclosure of information that is readily available from public
14 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
15 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
16 protective orders and/or confidentiality obligations or agreements with third parties.

17 **REQUEST FOR PRODUCTION NO. 53:**

18 All documents comparing the characteristics or performance of Lexiva against the
19 characteristics or performance of any other ARV Drug.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

21 GSK incorporates by reference its General Objections. GSK further objects to this request
22 to the extent it seeks documents not reasonably calculated to lead to the discovery of admissible
23 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
24 unduly burdensome and oppressive, particularly as relates to the term "ARV Drug." GSK further
25 objects to this request as vague and ambiguous, particularly as to the term "performance." GSK
26 further objects to this request to the extent that this request calls for production of documents and
27 information that are protected by the attorney-client privilege, the informer privilege, the attorney
28 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this

1 request to the extent it seeks the disclosure of information that is readily available from public
2 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
3 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
4 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
5 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
6 after a reasonable search relating to the therapeutic performance, safety or efficacy of Lexiva and
7 Agenerase when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request No.
8 18.

9 **REQUEST FOR PRODUCTION NO. 54:**

10 All documents that discuss or relate to the safety, performance and/or efficacy of Lexiva,
11 Agenerase and/or any other protease inhibitor developed, marketed or sold by GSK.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

13 GSK incorporates by reference its General Objections. GSK further specifically objects to
14 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
15 objects to this request as vague and ambiguous, particularly as to the term "performance." GSK
16 further objects to this request to the extent that this request calls for production of documents and
17 information that are protected by the attorney-client privilege, the informer privilege, the attorney
18 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
19 request to the extent it seeks the disclosure of information that is readily available from public
20 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
21 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
22 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
23 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
24 after a reasonable search relating to the therapeutic performance, safety or efficacy of Lexiva and
25 Agenerase when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request No.
26 18.

27 **REQUEST FOR PRODUCTION NO. 55:**

28 All documents that discuss or relate to the safety, performance and/or efficacy of Norvir.

RESPONSE TO REQUEST FOR PRODUCTION NO. 55:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly as to the term “performance.” GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search relating to the therapeutic performance, safety or efficacy of Norvir when used to treat HIV/AIDS.

REQUEST FOR PRODUCTION NO. 56:

All documents that discuss or relate to the safety, performance and/or efficacy of Kaletra.

RESPONSE TO REQUEST FOR PRODUCTION NO. 56:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous, particularly as to the term “performance.” GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located

1 after a reasonable search relating to the therapeutic performance, safety or efficacy of Kaletra
2 when used to treat HIV/AIDS.

3 **REQUEST FOR PRODUCTION NO. 57:**

4 All documents that discuss the comparative safety, performance and/or efficacy of Lexiva
5 and Agenerase.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

7 GSK incorporates by reference its General Objections. GSK further specifically objects to
8 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
9 objects to this request as vague and ambiguous, particularly as to the term "performance." GSK
10 further objects to this request to the extent that this request calls for production of documents and
11 information that are protected by the attorney-client privilege, the informer privilege, the attorney
12 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
13 request to the extent it seeks the disclosure of information that is readily available from public
14 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
15 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
16 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
17 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
18 after a reasonable search relating to the therapeutic performance, safety or efficacy of Lexiva and
19 Agenerase when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request No.
20 54.

21 **REQUEST FOR PRODUCTION NO. 58:**

22 All documents that discuss the comparative safety, performance and/or efficacy of Lexiva
23 and Kaletra.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

25 GSK incorporates by reference its General Objections. GSK further specifically objects to
26 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
27 objects to this request as vague and ambiguous, particularly as to the term "performance." GSK
28 further objects to this request to the extent that this request calls for production of documents and

1 information that are protected by the attorney-client privilege, the attorney work-product doctrine
2 or any other applicable privilege or immunity. GSK further objects to this request to the extent it
3 seeks the disclosure of information that is readily available from public sources, is equally
4 available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the
5 extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders
6 and/or confidentiality obligations or agreements with third parties. Subject to the foregoing
7 Specific and General Objections, GSK will produce nonprivileged documents located after a
8 reasonable search relating to the therapeutic performance, safety or efficacy of Lexiva and Kaletra
9 when used to treat HIV/AIDS. GSK also refers Abbott to its response to Request Nos. 54 and 56.

10 **REQUEST FOR PRODUCTION NO. 59:**

11 All documents relating to physician perception of the safety, performance and/or efficacy
12 of Kaletra, Norvir, Lexiva, Agenerase and/or any other protease inhibitor developed, marketed or
13 sold by GSK.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

15 GSK incorporates by reference its General Objections. GSK further specifically objects to
16 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
17 objects to this request as vague and ambiguous, particularly as to the terms "performance" and
18 "physician perception." GSK further objects to this request to the extent that this request calls for
19 production of documents and information that are protected by the attorney-client privilege, the
20 informer privilege, the attorney work-product doctrine or any other applicable privilege or
21 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
22 that is readily available from public sources, is equally available to Abbott, or is already in
23 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
24 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
25 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will
26 produce nonprivileged documents located after a reasonable search relating to the therapeutic
27 performance, safety or efficacy of Kaletra, Norvir, Lexiva, and Agenerase when used to treat
28

1 HIV/AIDS. GSK also refers Abbott to its response to Request No. 18. GSK also refers Abbott to
2 its response to Request Nos. 54, 55 and 56.

3 **REQUEST FOR PRODUCTION NO. 60:**

4 All documents relating to patient perception of the safety, performance and/or efficacy of
5 Kaletra, Norvir, Lexiva, Agenerase and/or any other protease inhibitor developed, marketed or
6 sold by GSK.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

8 GSK incorporates by reference its General Objections. GSK further specifically objects to
9 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
10 objects to this request as vague and ambiguous, particularly as to the term “patient perception” and
11 “performance.” GSK further objects to this request to the extent that this request calls for
12 production of documents and information that are protected by the attorney-client privilege, the
13 informer privilege, the attorney work-product doctrine or any other applicable privilege or
14 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
15 that is readily available from public sources, is equally available to Abbott, or is already in
16 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
17 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
18 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will
19 produce nonprivileged documents located after a reasonable search relating to the therapeutic
20 performance, safety or efficacy of Kaletra, Norvir, Lexiva and Agenerase when used to treat
21 HIV/AIDS. GSK also refers Abbott to its response to Request No. 18. GSK also refers Abbott to
22 its response to Request Nos. 54, 55 and 56.

23 **REQUEST FOR PRODUCTION NO. 61:**

24 All documents relating to your actual or contemplated decision to take Agenerase off the
25 market.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 61:**

27 GSK incorporates by reference its General Objections. GSK further specifically objects to
28 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further

1 objects to this request as vague and ambiguous, particularly as to the term “contemplated
2 decision.” GSK further objects to this request to the extent that this request calls for production of
3 documents and information that are protected by the attorney-client privilege, the informer
4 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
5 further objects to this request to the extent it seeks the disclosure of information that is readily
6 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
7 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
8 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
9 parties. Subject to the foregoing Specific and General Objections, GSK will produce
10 nonprivileged documents located after a reasonable search concerning marketing, pricing and
11 forecasting for GSK’s protease inhibitors, which GSK believes will include the requested
12 documents.

13 **REQUEST FOR PRODUCTION NO. 62:**

14 All documents relating to your actual or contemplated decision to take any other
15 pharmaceutical product off the market.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 62:**

17 GSK incorporates by reference its General Objections. GSK further objects that this
18 request is not seeking documents reasonable calculated to lead to the discovery of admissible
19 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
20 unduly burdensome and oppressive, particularly as relates to the term “any other pharmaceutical
21 product.” GSK further objects to this request as vague and ambiguous, particularly as relates to
22 the terms “contemplated decision” and “any other pharmaceutical product.” GSK further objects
23 to this request to the extent that this request calls for production of documents and information that
24 are protected by the attorney-client privilege, the attorney work-product doctrine or any other
25 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
26 disclosure of information that is readily available from public sources, is equally available to
27 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
28

1 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
2 confidentiality obligations or agreements with third parties.

3 **REQUEST FOR PRODUCTION NO. 63:**

4 All documents relating to each and every price increase GSK took on Agenerase between
5 the time of its launch and its removal from the marketplace, including documents discussing the
6 reasons for the increases and the amounts of the increases.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 63:**

8 GSK incorporates by reference its General Objections. GSK further specifically objects to
9 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
10 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
11 that this request calls for production of documents and information that are protected by the
12 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
13 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
14 disclosure of information that is readily available from public sources, is equally available to
15 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
16 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
17 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
18 General Objections, GSK will produce nonprivileged documents located after a reasonable search
19 concerning marketing, pricing and forecasting for GSK's protease inhibitors, which GSK believes
20 will include the requested documents.

21 **REQUEST FOR PRODUCTION NO. 64:**

22 All documents relating to your price lists, pricing plans, pricing policies, pricing forecasts,
23 pricing strategies, and pricing decisions relating to all of your ARV Drugs.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 64:**

25 GSK incorporates by reference its General Objections. GSK further objects to this request
26 to the extent it seeks documents not reasonably calculated to lead to the discovery of admissible
27 evidence. GSK further specifically objects to this request on the grounds that it is overbroad,
28 unduly burdensome and oppressive, particularly as relates to the term "ARV Drugs." GSK further

1 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
2 that this request calls for production of documents and information that are protected by the
3 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
4 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
5 disclosure of information that is readily available from public sources, is equally available to
6 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
7 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
8 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
9 General Objections, GSK will produce nonprivileged documents as set forth in its response to
10 Request Nos. 23.

11 **REQUEST FOR PRODUCTION NO. 65:**

12 All documents sufficient to show total sales of Lexiva by types of payor, such as Medicaid,
13 ADAP, out of pocket, and private insurance for each month since its launch.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 65:**

15 GSK incorporates by reference its General Objections. GSK further specifically objects to
16 this request on the grounds that it is unduly burdensome. GSK further objects to this request as
17 vague and ambiguous. GSK further objects to this request to the extent that this request calls for
18 production of documents and information that are protected by the attorney-client privilege, the
19 informer privilege, the attorney work-product doctrine or any other applicable privilege or
20 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
21 that is readily available from public sources, is equally available to Abbott, or is already in
22 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
23 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
24 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will
25 produce nonprivileged financial documents, created from January 1, 1999 to the present, sufficient
26 to show total sales of Lexiva by types of payor.

1 **REQUEST FOR PRODUCTION NO. 66:**

2 All documents sufficient to show the costs associated with manufacturing Lexiva for each
3 month since its launch.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 66:**

5 GSK incorporates by reference its General Objections. GSK further specifically objects to
6 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
7 objects to this request as vague and ambiguous, particularly as to the term "costs associated with
8 manufacturing." GSK further objects to this request to the extent that this request calls for
9 production of documents and information that are protected by the attorney-client privilege, the
10 informer privilege, the attorney work-product doctrine or any other applicable privilege or
11 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
12 that is readily available from public sources, is equally available to Abbott, or is already in
13 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
14 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
15 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will
16 produce nonprivileged financial documents, created from January 1, 1999 to the present, sufficient
17 to show Lexiva's costs.

18 **REQUEST FOR PRODUCTION NO. 67:**

19 All documents sufficient to show the costs associated with the sale of Lexiva, including
20 any amounts paid as royalties or licensing fees, for each month since its launch.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 67:**

22 GSK incorporates by reference its General Objections. GSK further specifically objects to
23 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
24 objects to this request as vague and ambiguous, particularly as to the term "costs associated with
25 the sale." GSK further objects to this request to the extent that this request calls for production of
26 documents and information that are protected by the attorney-client privilege, the informer
27 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
28 further objects to this request to the extent it seeks the disclosure of information that is readily

1 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
2 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
3 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
4 parties. Subject to the foregoing Specific and General Objections, GSK will produce
5 nonprivileged financial documents, created from January 1, 1999 to the present, sufficient to show
6 Lexiva's costs.

7 **REQUEST FOR PRODUCTION NO. 68:**

8 All documents sufficient to show the amount of profits attributable to sales of Lexiva for
9 each month since its launch.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 68:**

11 GSK incorporates by reference its General Objections. GSK further specifically objects to
12 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
13 objects to this request as vague and ambiguous, particularly as to the term "profits." GSK further
14 objects to this request to the extent that this request calls for production of documents and
15 information that are protected by the attorney-client privilege, the informer privilege, the attorney
16 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
17 request to the extent it seeks the disclosure of information that is readily available from public
18 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
19 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
20 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
21 foregoing Specific and General Objections, GSK will produce nonprivileged financial documents,
22 created from January 1, 1999 to the present, sufficient to show profits, as GSK calculates them in
23 the ordinary course of business, attributable to Lexiva.

24 **REQUEST FOR PRODUCTION NO. 69:**

25 All documents related to any antitrust case you were involved in, or are currently involved
26 in, in which you took a position on the definition of any relevant market for pharmaceutical
27 products or ARV Drugs.
28

RESPONSE TO REQUEST FOR PRODUCTION NO. 69:

GSK incorporates by reference its General Objections. GSK further objects to this request as seeking documents not reasonable calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive, particularly as relates to the terms “pharmaceutical products or ARV Drugs.” GSK further objects to this request as vague and ambiguous, particularly as to the term “pharmaceutical products.” GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties.

REQUEST FOR PRODUCTION NO. 70:

All documents you produced, filed, or served in *AIDS Healthcare Foundation v. GSK*, Case No. 02 -5223 TJH-Ex, filed on July 1, 2002 in the United States District Court for the Central District of California.

RESPONSE TO REQUEST FOR PRODUCTION NO. 70:

GSK incorporates by reference its General Objections. GSK further objects to this request as seeking documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties.

1 **REQUEST FOR PRODUCTION NO. 71:**

2 All documents you produced, filed, or served in *Chemi Spa v. GlaxoSmithKline*, 04-4545,
3 2004 U.S. Dist. LEXIS 25335 (E.D. Pa. 2004).

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 71:**

5 GSK incorporates by reference its General Objections. GSK further objects to this request
6 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
7 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
8 burdensome and oppressive. GSK further objects to this request to the extent it seeks the
9 disclosure of information that is readily available from public sources, is equally available to
10 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
11 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
12 confidentiality obligations or agreements with third parties.

13 **REQUEST FOR PRODUCTION NO. 72:**

14 All pleadings, depositions transcripts, deposition exhibits, hearing transcripts, and expert
15 reports relating to *AIDS Healthcare Foundation v. GSK*, Case No. 02-5223 TJH-Ex., filed on July
16 1, 2002 in the United States District Court for the Central District of California.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 72:**

18 GSK incorporates by reference its General Objections. GSK further objects to this request
19 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
20 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
21 burdensome and oppressive. GSK further objects to this request to the extent it seeks the
22 disclosure of information that is readily available from public sources, is equally available to
23 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
24 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
25 confidentiality obligations or agreements with third parties.

1 **REQUEST FOR PRODUCTION NO. 73:**

2 All pleadings, depositions transcripts, deposition exhibits, hearing transcripts, and expert
3 reports relating to *Chemi Spa v. GlaxoSmithKline*, 04-4545, 2004 U.S. Dist. LEXIS 25335 (E.D.
4 Pa. 2004).

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 73:**

6 GSK incorporates by reference its General Objections. GSK further objects to this request
7 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
8 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
9 burdensome and oppressive. GSK further objects to this request to the extent it seeks the
10 disclosure of information that is readily available from public sources, is equally available to
11 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
12 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
13 confidentiality obligations or agreements with third parties.

14 **REQUEST FOR PRODUCTION NO. 74:**

15 All documents relating to any position you took in *AIDS Healthcare Foundation v. GSK*,
16 Case No. 02-5223 TJH-Ex, filed on July 1, 2002 in the United States District Court for the Central
17 District of California, regarding the definition of the relevant markets.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 74:**

19 GSK incorporates by reference its General Objections. GSK further objects to this request
20 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
21 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
22 burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK
23 further objects to this request to the extent that this request calls for production of documents and
24 information that are protected by the attorney-client privilege, the informer privilege, the attorney
25 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
26 request to the extent it seeks the disclosure of information that is readily available from public
27 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
28

1 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
2 protective orders and/or confidentiality obligations or agreements with third parties.

3 **REQUEST FOR PRODUCTION NO. 75:**

4 All documents relating to any position you took in *Chemi Spa v. GlaxoSmithKline*, 04-
5 4545, 2004 U.S. Dist. LEXIS 25335 (E.D. Pa. 2004) regarding the definition of the relevant
6 markets.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 75:**

8 GSK incorporates by reference its General Objections. GSK further objects to this request
9 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
10 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
11 burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK
12 further objects to this request to the extent that this request calls for production of documents and
13 information that are protected by the attorney-client privilege, the informer privilege, the attorney
14 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
15 request to the extent it seeks the disclosure of information that is readily available from public
16 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
17 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
18 protective orders and/or confidentiality obligations or agreements with third parties.

19 **REQUEST FOR PRODUCTION NO. 76:**

20 All documents relating to the Competition Commission of South Africa's 2002 conclusion
21 that you "abused [your] dominance and contravened sections 8(a) (excessive pricing), 8(b)
22 (refusing a competitor access to an essential facility) and 8(c) (an exclusionary act)" of the
23 Competition Act.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 76:**

25 GSK incorporates by reference its General Objections. GSK further objects to this request
26 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
27 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
28 burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK

1 further objects to this request to the extent that this request calls for production of documents and
2 information that are protected by the attorney-client privilege, the informer privilege, the attorney
3 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
4 request to the extent it seeks the disclosure of information that is readily available from public
5 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
6 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
7 protective orders and/or confidentiality obligations or agreements with third parties.

8 **REQUEST FOR PRODUCTION NO. 77:**

9 All documents relating to your discussions or negotiations with the Competition
10 Commission of South Africa and others regarding your issuance of four patented licenses of anti-
11 retroviral drugs to generic manufacturers.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 77:**

13 GSK incorporates by reference its General Objections. GSK further objects to this request
14 as seeking documents not reasonably calculated to lead to the discovery of admissible evidence.
15 GSK further specifically objects to this request on the grounds that it is overbroad, unduly
16 burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK
17 further objects to this request to the extent that this request calls for production of documents and
18 information that are protected by the attorney-client privilege, the informer privilege, the attorney
19 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
20 request to the extent it seeks the disclosure of information that is readily available from public
21 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
22 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
23 protective orders and/or confidentiality obligations or agreements with third parties.

24 **REQUEST FOR PRODUCTION NO. 78:**

25 All documents relating to any position you took on the definition of the relevant markets in
26 your dealings with the Competition Commission of South Africa.

RESPONSE TO REQUEST FOR PRODUCTION NO. 78:

GSK incorporates by reference its General Objections. GSK further objects to this request as seeking documents not reasonably calculated to lead to the discovery of admissible evidence. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties.

REQUEST FOR PRODUCTION NO. 79:

GSK's communications, including all letters and e-mails, with any federal or state government agencies (e.g., attorneys general's offices, FTC, NIH, FDA, DHHS, DOJ), employees, or elected officials (e.g., members of Congress or state legislature) related to Norvir, Kaletra and/or Norvir's price increase.

RESPONSE TO REQUEST FOR PRODUCTION NO. 79:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the attorney work-product doctrine, the informer privilege or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and

1 General Objections, GSK will produce nonprivileged documents as set forth in its response to
2 Request No. 37.

3 **REQUEST FOR PRODUCTION NO. 80:**

4 All documents concerning or relating to your claim that Abbott violated the Sherman Act,
5 as alleged in Count 1 of your Complaint, including but not limited to: (i) all documents that
6 support your allegations in Count 1; and (ii) all documents upon which you intend to rely at trial.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 80:**

8 GSK incorporates by reference its General Objections. GSK further specifically objects to
9 this request on the grounds that it is overbroad, unduly burdensome and oppressive because this
10 request, if read literally, encompasses every document relating to GSK's business in designing,
11 developing, manufacturing, selling and distributing protease inhibitors. Further, GSK objects
12 because documents supporting GSK's claims, including those referenced in the Complaint at
13 Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to
14 this request as vague and ambiguous because this request fails to describe the requested documents
15 with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil
16 Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for
17 production of documents and information that are protected by the attorney-client privilege, the
18 informer privilege, the attorney work-product doctrine or any other applicable privilege or
19 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
20 that is readily available from public sources, is equally available to Abbott, or is already in
21 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
22 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
23 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK
24 believes that the documents it will be producing in response to other document requests will
25 include all non-privileged documents from its files used, relied upon or referenced in filing its
26 Complaint. GSK will identify documents it may introduce as evidence at trial at the time and in
27 the manner specified in the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the
28 Local Rules, and any other applicable Orders or rules.

1 **REQUEST FOR PRODUCTION NO. 81:**

2 All documents relating to your allegation that Abbott engaged in anticompetitive conduct
3 or activities.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 81:**

5 GSK incorporates by reference its General Objections. GSK further specifically objects to
6 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
7 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
8 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
9 vague and ambiguous because this request fails to describe the requested documents with any
10 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
11 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
12 of documents and information that are protected by the attorney-client privilege, the informer
13 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
14 further objects to this request to the extent it seeks the disclosure of information that is readily
15 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
16 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
17 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
18 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
19 documents it will be producing in response to other document requests will include all non-
20 privileged documents from its files used, relied upon or referenced in filing its Complaint.

21 **REQUEST FOR PRODUCTION NO. 82:**

22 All documents relating to your allegation that "Abbott schemed to remove" Norvir from
23 the market for boosted PIs.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 82:**

25 GSK incorporates by reference its General Objections. GSK further specifically objects to
26 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
27 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
28 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as

1 vague and ambiguous because this request fails to describe the requested documents with any
2 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
3 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
4 of documents and information that are protected by the attorney-client privilege, the informer
5 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
6 further objects to this request to the extent it seeks the disclosure of information that is readily
7 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
8 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
9 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
10 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
11 documents it will be producing in response to other document requests will include all non-
12 privileged documents from its files used, relied upon or referenced in filing its Complaint.

13 **REQUEST FOR PRODUCTION NO. 83:**

14 All documents relating to your allegation that “Abbott acted with a specific intent to
15 achieve an anticompetitive purpose,” including “eliminate[ing] competitors from the market for
16 boosted PIs and to unlawfully acquire or maintain a monopoly in the boosted PI market.” (Compl.
17 ¶ 57).

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 83:**

19 GSK incorporates by reference its General Objections. GSK further specifically objects to
20 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
21 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
22 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
23 vague and ambiguous because this request fails to describe the requested documents with any
24 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
25 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
26 of documents and information that are protected by the attorney-client privilege, the informer
27 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
28 further objects to this request to the extent it seeks the disclosure of information that is readily

1 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
2 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
3 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
4 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
5 documents it will be producing in response to other document requests will include all non-
6 privileged documents from its files used, relied upon or referenced in filing its Complaint.

7 **REQUEST FOR PRODUCTION NO. 84:**

8 All documents relating to your allegation that Abbott's alleged misconduct "has harmed
9 the open and free market, restraining competition and threatening to continue to restrain
10 competition." (Compl. ¶ 61).

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 84:**

12 GSK incorporates by reference its General Objections. GSK further specifically objects to
13 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
14 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
15 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
16 vague and ambiguous because this request fails to describe the requested documents with any
17 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
18 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
19 of documents and information that are protected by the attorney-client privilege, the informer
20 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
21 further objects to this request to the extent it seeks the disclosure of information that is readily
22 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
23 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
24 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
25 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
26 documents it will be producing in response to other document requests will include all non-
27 privileged documents from its files used, relied upon or referenced in filing its Complaint.
28

1 **REQUEST FOR PRODUCTION NO. 85:**

2 All documents relating to your allegation that “Abbott’s anticompetitive scheme protected
3 Kaletra against new competitors that threatened its market dominance.” (Compl. ¶ 1).

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 85:**

5 GSK incorporates by reference its General Objections. GSK further specifically objects to
6 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
7 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
8 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
9 vague and ambiguous because this request fails to describe the requested documents with any
10 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
11 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
12 of documents and information that are protected by the attorney-client privilege, the informer
13 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
14 further objects to this request to the extent it seeks the disclosure of information that is readily
15 available from public sources, is equally available to Abbott, or is already in Abbott’s possession.
16 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
17 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
18 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
19 documents it will be producing in response to other document requests will include all non-
20 privileged documents from its files used, relied upon or referenced in filing its Complaint.

21 **REQUEST FOR PRODUCTION NO. 86:**

22 All documents relating to your allegation that “Abbott’s action forced” patients using
23 competitors’ PIs “either to pay exorbitant new prices or to use Abbott’s PI.” (Compl. ¶ 1).

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 86:**

25 GSK incorporates by reference its General Objections. GSK further specifically objects to
26 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
27 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
28 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as

1 vague and ambiguous because this request fails to describe the requested documents with any
2 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
3 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
4 of documents and information that are protected by the attorney-client privilege, the informer
5 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
6 further objects to this request to the extent it seeks the disclosure of information that is readily
7 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
8 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
9 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
10 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
11 documents it will be producing in response to other document requests will include all non-
12 privileged documents from its files used, relied upon or referenced in filing its Complaint.

13 **REQUEST FOR PRODUCTION NO. 87:**

14 All documents relating to your allegation that Abbott’s alleged anticompetitive activities
15 have caused medical hospitals to revise their formularies.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 87:**

17 GSK incorporates by reference its General Objections. GSK further specifically objects to
18 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
19 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
20 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
21 vague and ambiguous because this request fails to describe the requested documents with any
22 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
23 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
24 of documents and information that are protected by the attorney-client privilege, the informer
25 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
26 further objects to this request to the extent it seeks the disclosure of information that is readily
27 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
28 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to

1 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
2 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
3 documents it will be producing in response to other document requests will include all non-
4 privileged documents from its files used, relied upon or referenced in filing its Complaint.

5 **REQUEST FOR PRODUCTION NO. 88:**

6 All documents relating to your allegations regarding the definition of the relevant markets,
7 including your allegation that: (i) the “market for PI boosters” consists of “all drugs that could be
8 used to boost the effects of PIs”; (ii) the “market for boosted PIs” consists of “those PIs that
9 benefit from a PI booster”; and (iv) the geographic scope of both markets is the United States.
10 (Compl. ¶¶ 39-40, 42).

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 88:**

12 GSK incorporates by reference its General Objections. GSK further specifically objects to
13 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
14 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
15 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
16 vague and ambiguous because this request fails to describe the requested documents with any
17 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
18 34(b)(1)(A). GSK also objects to this request to the extent it prematurely seeks expert discovery.
19 GSK further objects to this request to the extent that this request calls for production of documents
20 and information that are protected by the attorney-client privilege, the informer privilege, the
21 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
22 objects to this request to the extent it seeks the disclosure of information that is readily available
23 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
24 further objects to this request to the extent it seeks documents that GSK is not permitted to
25 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
26 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
27 documents it will be producing in response to other document requests will include all non-
28 privileged documents from its files used, relied upon or referenced in filing its Complaint.

1 **REQUEST FOR PRODUCTION NO. 89:**

2 All documents relating to the pricing of products in the market for PI boosters and the
3 market for boosted PIs.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 89:**

5 GSK incorporates by reference its General Objections. GSK further specifically objects to
6 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
7 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
8 that this request calls for production of documents and information that are protected by the
9 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
10 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
11 disclosure of information that is readily available from public sources, is equally available to
12 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
13 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
14 confidentiality obligations or agreements with third parties. GSK objects to the extent this request
15 prematurely seeks expert discovery. Subject to the foregoing Specific and General Objections,
16 GSK will produce nonprivileged documents responsive to this request that are located after a
17 reasonable search.

18 **REQUEST FOR PRODUCTION NO. 90:**

19 All documents relating to the costs of products in the market for PI boosters and the market
20 for boosted PIs.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 90:**

22 GSK incorporates by reference its General Objections. GSK further specifically objects to
23 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
24 objects to this request as vague and ambiguous, particularly as to the term "costs of products."
25 GSK further objects to this request to the extent that this request calls for production of documents
26 and information that are protected by the attorney-client privilege, the informer privilege, the
27 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
28 objects to this request to the extent it seeks the disclosure of information that is readily available

1 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
2 further objects to this request to the extent it seeks documents that GSK is not permitted to
3 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
4 parties. GSK objects to the extent this request prematurely seeks expert discovery.

5 **REQUEST FOR PRODUCTION NO. 91:**

6 All documents relating to the past, current, future and potential market shares of the
7 products in the market for boosted PIs.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 91:**

9 GSK incorporates by reference its General Objections. GSK further specifically objects to
10 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
11 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
12 that this request calls for production of documents and information that are protected by the
13 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
14 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
15 disclosure of information that is readily available from public sources, is equally available to
16 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
17 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
18 confidentiality obligations or agreements with third parties. GSK objects to the extent this request
19 prematurely seeks expert discovery. Subject to the foregoing Specific and General Objections,
20 GSK will produce nonprivileged documents located after a reasonable search that GSK believes
21 will be sufficient to show market share from January 1, 1999 to the present to the extent these
22 documents concern GSK's protease inhibitors when used to treat HIV/AIDS.

23 **REQUEST FOR PRODUCTION NO. 92:**

24 All scientific or journal articles related to the efficacy, benefits, or side effects of products
25 in the market for boosted PIs.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 92:**

27 GSK incorporates by reference its General Objections. GSK further specifically objects to
28 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further

1 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
2 that this request calls for production of documents and information that are protected by the
3 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
4 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
5 disclosure of information that is readily available from public sources, is equally available to
6 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
7 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
8 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
9 General Objections, GSK will produce nonprivileged documents located after a reasonable search
10 relating to the therapeutic performance, safety or efficacy of Lexiva and Agenerase when used to
11 treat HIV/AIDS. GSK also refers Abbott to its response to Request No. 18.

12 **REQUEST FOR PRODUCTION NO. 93:**

13 All documents relating to your allegation that Abbott "targeted" GSK. (Compl. ¶ 2).

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 93:**

15 GSK incorporates by reference its General Objections. GSK further specifically objects to
16 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
17 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
18 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
19 vague and ambiguous because this request fails to describe the requested documents with any
20 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
21 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
22 of documents and information that are protected by the attorney-client privilege, the informer
23 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
24 further objects to this request to the extent it seeks the disclosure of information that is readily
25 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
26 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
27 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
28 parties. Subject to the foregoing Specific and General Objections, GSK believes that the

1 documents it will be producing in response to other document requests will include all non-
2 privileged documents from its files used, relied upon or referenced in filing its Complaint.

3 **REQUEST FOR PRODUCTION NO. 94:**

4 All documents relating to your allegation that Abbott “demanded” a License Agreement
5 from GSK. (Compl. ¶ 2).

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 94:**

7 GSK incorporates by reference its General Objections. GSK further specifically objects to
8 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
9 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
10 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
11 vague and ambiguous because this request fails to describe the requested documents with any
12 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
13 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
14 of documents and information that are protected by the attorney-client privilege, the informer
15 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
16 further objects to this request to the extent it seeks the disclosure of information that is readily
17 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
18 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
19 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
20 parties. Subject to and without waiving its foregoing General and Specific objections, GSK refers
21 Abbott to its response to Request No. 124.

22 **REQUEST FOR PRODUCTION NO. 95:**

23 All documents relating to your allegation that “Abbott explicitly considered the negative
24 impacts of its price hike.” (Compl. ¶ 2).

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 95:**

26 GSK incorporates by reference its General Objections. GSK further specifically objects to
27 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
28 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A

1 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
2 vague and ambiguous because this request fails to describe the requested documents with any
3 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
4 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
5 of documents and information that are protected by the attorney-client privilege, the informer
6 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
7 further objects to this request to the extent it seeks the disclosure of information that is readily
8 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
9 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
10 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
11 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
12 documents it will be producing in response to other document requests will include all non-
13 privileged documents from its files used, relied upon or referenced in filing its Complaint.

14 **REQUEST FOR PRODUCTION NO. 96:**

15 All documents relating to your allegation that Abbott harmed “competition in the markets
16 into which PIs are sold, harming GSK and Abbott’s other competitors in those markets and
17 harming the HIV/AIDS community.” (Compl. ¶ 3).

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 96:**

19 GSK incorporates by reference its General Objections. GSK further specifically objects to
20 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
21 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
22 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
23 vague and ambiguous because this request fails to describe the requested documents with any
24 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
25 34(b)(1)(A). GSK also objects to the extent this request prematurely seeks expert discovery. GSK
26 further objects to this request to the extent that this request calls for production of documents and
27 information that are protected by the attorney-client privilege, the informer privilege, the attorney
28 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this

1 request to the extent it seeks the disclosure of information that is readily available from public
2 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
3 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
4 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
5 foregoing Specific and General Objections, GSK believes that the documents it will be producing
6 in response to other document requests will include all non-privileged documents from its files
7 used, relied upon or referenced in filing its Complaint.

8 **REQUEST FOR PRODUCTION NO. 97:**

9 All documents relating to your allegation that Abbott had a “contractual obligation” not to
10 raise the price of Norvir. (Compl. ¶ 2).

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 97:**

12 GSK incorporates by reference its General Objections. GSK further specifically objects to
13 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
14 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
15 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
16 vague and ambiguous because this request fails to describe the requested documents with any
17 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
18 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
19 of documents and information that are protected by the attorney-client privilege, the informer
20 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
21 further objects to this request to the extent it seeks the disclosure of information that is readily
22 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
23 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
24 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
25 parties. Subject to and without waiving its foregoing General and Specific Objections, GSK
26 refers Abbott to its response to Request No. 124.

1 **REQUEST FOR PRODUCTION NO. 98:**

2 All documents relating to your allegation that Abbott's pricing decision "was designed to
3 render Norvir essentially inaccessible to a wide array of patients." (Compl. ¶ 2).

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 98:**

5 GSK incorporates by reference its General Objections. GSK further specifically objects to
6 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
7 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
8 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
9 vague and ambiguous because this request fails to describe the requested documents with any
10 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
11 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
12 of documents and information that are protected by the attorney-client privilege, the informer
13 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
14 further objects to this request to the extent it seeks the disclosure of information that is readily
15 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
16 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
17 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
18 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
19 documents it will be producing in response to other document requests will include all non-
20 privileged documents from its files used, relied upon or referenced in filing its Complaint.

21 **REQUEST FOR PRODUCTION NO. 99:**

22 All documents relating to your allegation that "Lexiva sales have fallen short of pre-release
23 forecasts prepared for and by GSK." (Compl. ¶ 3).

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 99:**

25 GSK incorporates by reference its General Objections. GSK further specifically objects to
26 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
27 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
28 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as

1 vague and ambiguous because this request fails to describe the requested documents with any
2 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
3 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
4 of documents and information that are protected by the attorney-client privilege, the informer
5 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
6 further objects to this request to the extent it seeks the disclosure of information that is readily
7 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
8 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
9 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
10 parties. Subject to the foregoing Specific and General Objections, GSK will produce
11 nonprivileged documents located after a reasonable search concerning marketing, pricing and
12 forecasting for GSK’s protease inhibitors. GSK believes that the documents it will be producing
13 in response to other document requests will include all non-privileged documents from its files
14 used, relied upon or referenced in filing its Complaint.

15 **REQUEST FOR PRODUCTION NO. 100:**

16 All documents relating to your allegation that “Abbott’s anticompetitive conduct caused
17 GSK to lose sales, profits and market share for Lexiva and its other PI products.” (Compl. ¶ 3).

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 100:**

19 See GSK’s Response to Request No. 99. GSK believes that the documents it will be
20 producing in response to other document requests will include all non-privileged documents from
21 its files used, relied upon or referenced in filing its Complaint.

22 **REQUEST FOR PRODUCTION NO. 101:**

23 All documents relating to your allegation that “Abbott’s misconduct interfered with, and
24 continues to interfere with, GSK’s ability to serve the HIV/AIDS community and to provide the
25 treatments that HIV-positive patients need.” (Compl. ¶ 3).

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 101:**

27 GSK incorporates by reference its General Objections. GSK further specifically objects to
28 this request on the grounds that it is overbroad, unduly burdensome and oppressive because

documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search concerning marketing, pricing and forecasting for GSK's protease inhibitors. GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 102:

All documents relating to your allegation that "Abbott's price increase has the effect of limiting the types of PIs available to patients - thus interfering with their ability to effectively treat the disease." (Compl. ¶ 4).

RESPONSE TO REQUEST FOR PRODUCTION NO. 102:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK also objects to this request to the extent it prematurely seeks expert discovery.

1 GSK further objects to this request to the extent that this request calls for production of documents
2 and information that are protected by the attorney-client privilege, the informer privilege, the
3 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
4 objects to this request to the extent it seeks the disclosure of information that is readily available
5 from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK
6 further objects to this request to the extent it seeks documents that GSK is not permitted to
7 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
8 parties. Subject to the foregoing Specific and General Objections, GSK will produce
9 nonprivileged documents located after a reasonable search concerning marketing, pricing and
10 forecasting for GSK's protease inhibitors. GSK believes that the documents it will be producing
11 in response to other document requests will include all non-privileged documents from its files
12 used, relied upon or referenced in filing its Complaint.

13 **REQUEST FOR PRODUCTION NO. 103:**

14 All documents relating to your allegation that "GSK has been harmed in North Carolina by
15 Abbott's misconduct." (Compl. ¶ 5).

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 103:**

17 GSK incorporates by reference its General Objections. GSK further specifically objects to
18 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
19 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
20 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
21 vague and ambiguous because this request fails to describe the requested documents with any
22 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
23 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
24 of documents and information that are protected by the attorney-client privilege, the informer
25 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
26 further objects to this request to the extent it seeks the disclosure of information that is readily
27 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
28 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to

1 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
2 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
3 documents it will be producing in response to other document requests will include all non-
4 privileged documents from its files used, relied upon or referenced in filing its Complaint.

5 **REQUEST FOR PRODUCTION NO. 104:**

6 All documents relating to your allegation that “Abbott spent significantly less in
7 developing Norvir than typical for other major pharmaceutical drugs.” (Compl. ¶ 14).

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 104:**

9 GSK incorporates by reference its General Objections. GSK further specifically objects to
10 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
11 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
12 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
13 vague and ambiguous because this request fails to describe the requested documents with any
14 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
15 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
16 of documents and information that are protected by the attorney-client privilege, the informer
17 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
18 further objects to this request to the extent it seeks the disclosure of information that is readily
19 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
20 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
21 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
22 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
23 documents it will be producing in response to other document requests will include all non-
24 privileged documents from its files used, relied upon or referenced in filing its Complaint.

25 **REQUEST FOR PRODUCTION NO. 105:**

26 All documents relating to your allegation that Abbott executives “formulated an
27 anticompetitive scheme using Abbott’s control of Norvir as leverage to maintain or increase
28 Kaletra’s dominant market position.” (Compl. ¶ 24).

RESPONSE TO REQUEST FOR PRODUCTION NO. 105:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 106:

All documents relating to your allegation that Abbott's price increase raised "the wholesale acquisition cost of GSK's boosted Lexiva treatment from \$19.43 to \$33.15." (Compl. ¶ 30).

RESPONSE TO REQUEST FOR PRODUCTION NO. 106:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production

1 of documents and information that are protected by the attorney-client privilege, the informer
2 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
3 further objects to this request to the extent it seeks the disclosure of information that is readily
4 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
5 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
6 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
7 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
8 documents it will be producing in response to other document requests will include all non-
9 privileged documents from its files used, relied upon or referenced in filing its Complaint.

10 **REQUEST FOR PRODUCTION NO. 107:**

11 All documents relating to your allegation that Abbott's communications following its price
12 increase of Norvir "had the intention and effect of confusing prescribers and purchasers about the
13 real impact of the price increase." (Compl. ¶ 31).

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 107:**

15 GSK incorporates by reference its General Objections. GSK further specifically objects to
16 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
17 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
18 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
19 vague and ambiguous because this request fails to describe the requested documents with any
20 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
21 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
22 of documents and information that are protected by the attorney-client privilege, the informer
23 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
24 further objects to this request to the extent it seeks the disclosure of information that is readily
25 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
26 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
27 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
28 parties. Subject to the foregoing Specific and General Objections, GSK believes that the

documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 108:

All documents relating to your allegation that the price increase “had the effect of leveraging Abbott’s monopoly power over PI boosters into the boosted market.” (Compl. ¶ 35).

RESPONSE TO REQUEST FOR PRODUCTION NO. 108:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott’s possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 109:

All documents relating to your allegation that there are “substantial barriers to entry into both the markets for PI boosters and boosted PIs.” (Compl. ¶ 41).

RESPONSE TO REQUEST FOR PRODUCTION NO. 109:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because

documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK also objects to the extent this request prematurely seeks expert discovery. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 110:

All documents relating to your statement that GSK had a "reasonable expectation" that "it would be able to promote the co-prescription and co-administration of its PI products with Norvir at prices competitive with those of Kaletra and other PIs." (Compl. ¶ 36).

RESPONSE TO REQUEST FOR PRODUCTION NO. 110:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer

1 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
2 further objects to this request to the extent it seeks the disclosure of information that is readily
3 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
4 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
5 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
6 parties. Subject to and without waiving its foregoing General and Specific Objections, GSK refers
7 Abbott to its response to Request No. 124.

8 **REQUEST FOR PRODUCTION NO. 111:**

9 All documents relating to your allegation that Abbott raised the price of Norvir “knowingly
10 and intentionally to interfere with sales of Lexiva and other boosted PIs.” (Compl. ¶ 36).

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 111:**

12 GSK incorporates by reference its General Objections. GSK further specifically objects to
13 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
14 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
15 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
16 vague and ambiguous because this request fails to describe the requested documents with any
17 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
18 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
19 of documents and information that are protected by the attorney-client privilege, the informer
20 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
21 further objects to this request to the extent it seeks the disclosure of information that is readily
22 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
23 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
24 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
25 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
26 documents it will be producing in response to other document requests will include all non-
27 privileged documents from its files used, relied upon or referenced in filing its Complaint.
28

REQUEST FOR PRODUCTION NO. 112:

All documents relating to your allegation that, in 2003, “Abbott’s market share for boosted PIs exceeded 70 percent.” (Compl. ¶ 40).

RESPONSE TO REQUEST FOR PRODUCTION NO. 112:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott’s possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK will produce nonprivileged documents located after a reasonable search concerning marketing, pricing and forecasting for GSK’s protease inhibitors. GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 113:

All documents relating to your allegation that “[t]hrough its course of dealing with its competitors, Abbott has facilitated the market for boosted PIs ... and caused its competitors to anticipate incremental” price increases for Norvir. (Compl. ¶ 44).

RESPONSE TO REQUEST FOR PRODUCTION NO. 113:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to its foregoing General and Specific Objections, GSK refers Abbott to its response to Request No. 124.

REQUEST FOR PRODUCTION NO. 114:

All documents relating to your allegation that Abbott's conduct "artificially reduced the demand for the boosted PIs of GSK and Abbott's other competitors, while artificially increasing demand for its own boosted PIs." (Compl. ¶ 45).

RESPONSE TO REQUEST FOR PRODUCTION NO. 114:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK also objects to the extent this request prematurely seeks expert discovery. GSK

1 further objects to this request to the extent that this request calls for production of documents and
2 information that are protected by the attorney-client privilege, the informer privilege, the attorney
3 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
4 request to the extent it seeks the disclosure of information that is readily available from public
5 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
6 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
7 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
8 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
9 after a reasonable search concerning marketing, pricing and forecasting for GSK's protease
10 inhibitors. GSK believes that the documents it will be producing in response to other document
11 requests will include all non-privileged documents from its files used, relied upon or referenced in
12 filing its Complaint.

13 **REQUEST FOR PRODUCTION NO. 115:**

14 All documents relating to your allegation that Abbott's conduct "has directly and
15 proximately harmed competition in the market for boosted PIs," and that Abbott's conduct
16 "excluded and handicapped its competitors." (Compl. ¶ 46).

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 115:**

18 GSK incorporates by reference its General Objections. GSK further specifically objects to
19 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
20 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
21 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
22 vague and ambiguous because this request fails to describe the requested documents with any
23 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
24 34(b)(1)(A). GSK also objects to the extent this request prematurely seeks expert discovery. GSK
25 further objects to this request to the extent that this request calls for production of documents and
26 information that are protected by the attorney-client privilege, the informer privilege, the attorney
27 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
28 request to the extent it seeks the disclosure of information that is readily available from public

1 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
2 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
3 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the
4 foregoing Specific and General Objections, GSK will produce nonprivileged documents located
5 after a reasonable search concerning marketing, pricing and forecasting for GSK's protease
6 inhibitors. GSK believes that the documents it will be producing in response to other document
7 requests will include all non-privileged documents from its files used, relied upon or referenced in
8 filing its Complaint.

9 **REQUEST FOR PRODUCTION NO. 116:**

10 All documents relating to your allegation that Abbott's "justification" of its choice to raise
11 the price of Norvir "is pretextual and does not legitimately promote competition." (Compl. ¶ 46).

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 116:**

13 GSK incorporates by reference its General Objections. GSK further specifically objects to
14 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
15 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
16 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
17 vague and ambiguous because this request fails to describe the requested documents with any
18 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
19 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
20 of documents and information that are protected by the attorney-client privilege, the informer
21 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
22 further objects to this request to the extent it seeks the disclosure of information that is readily
23 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
24 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
25 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
26 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
27 documents it will be producing in response to other document requests will include all non-
28 privileged documents from its files used, relied upon or referenced in filing its Complaint.

1 **REQUEST FOR PRODUCTION NO. 117:**

2 All documents relating to your allegation that “Abbott’s competitors in the boosted PI
3 market, including GSK have suffered declines in revenue and reductions in the market share that
4 they otherwise would have obtained.” (Compl. ¶ 47).

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 117:**

6 GSK incorporates by reference its General Objections. GSK further specifically objects to
7 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
8 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
9 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
10 vague and ambiguous because this request fails to describe the requested documents with any
11 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
12 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
13 of documents and information that are protected by the attorney-client privilege, the informer
14 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
15 further objects to this request to the extent it seeks the disclosure of information that is readily
16 available from public sources, is equally available to Abbott, or is already in Abbott’s possession.
17 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
18 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
19 parties. Subject to and without waiving its foregoing General and Specific Objections, GSK refers
20 Abbott to its response to Request No. 42. GSK believes that the documents it will be producing in
21 response to other document requests will include all non-privileged documents from its files used,
22 relied upon or referenced in filing its Complaint.

23 **REQUEST FOR PRODUCTION NO. 118:**

24 All documents relating to your allegation that, as a result of Abbott’s conduct, HIV
25 patients and health care professionals have been harmed by “a) paying more for boosted PI
26 treatments than they would have in the absence of Abbott’s unlawful conduct; b) being denied the
27 benefit of a broader variety of boosted PI treatments; and c) being denied the benefit of research
28

1 and development that likely would have resulted in alternative and superior forms of PI
 2 treatments.” (Compl. ¶ 48).

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 118:**

4 GSK incorporates by reference its General Objections. GSK further specifically objects to
 5 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
 6 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
 7 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
 8 vague and ambiguous because this request fails to describe the requested documents with any
 9 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
 10 34(b)(1)(A). GSK objects to this request to the extent it prematurely seeks expert discovery. GSK
 11 further objects to this request to the extent that this request calls for production of documents and
 12 information that are protected by the attorney-client privilege, the informer privilege, the attorney
 13 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
 14 request to the extent it seeks the disclosure of information that is readily available from public
 15 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
 16 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
 17 protective orders and/or confidentiality obligations or agreements with third parties. Subject to
 18 and without waiving its foregoing General and Specific Objections, GSK refers Abbott to its
 19 response to Request Nos. 23, 26 and 42. GSK believes that the documents it will be producing in
 20 response to other document requests will include all non-privileged documents from its files used,
 21 relied upon or referenced in filing its Complaint.

22 **REQUEST FOR PRODUCTION NO. 119:**

23 All documents relating to your allegation that “GSK’s injuries are unique and are in
 24 addition to, not duplicative of or derivative of, any injuries suffered by its competitors or by
 25 consumers.” (Compl. ¶ 49).

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 119:**

27 GSK incorporates by reference its General Objections. GSK further specifically objects to
 28 this request on the grounds that it is overbroad, unduly burdensome and oppressive because

documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK objects to this request to the extent it prematurely seeks expert discovery. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and General Objections, GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 120:

All documents relating to your allegation that "Abbott targets markets in which GSK participates" and that Abbott "intended to harm GSK."

RESPONSE TO REQUEST FOR PRODUCTION NO. 120:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK

1 further objects to this request to the extent it seeks the disclosure of information that is readily
2 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
3 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
4 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
5 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
6 documents it will be producing in response to other document requests will include all non-
7 privileged documents from its files used, relied upon or referenced in filing its Complaint.

8 **REQUEST FOR PRODUCTION NO. 121:**

9 All documents relating to your allegation that GSK lost “the benefit of the bargain it struck
10 with Abbott when GSK agreed to a license from Abbott.” (Compl. ¶ 50).

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 121:**

12 GSK incorporates by reference its General Objections. GSK further specifically objects to
13 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
14 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
15 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
16 vague and ambiguous because this request fails to describe the requested documents with any
17 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
18 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
19 of documents and information that are protected by the attorney-client privilege, the informer
20 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
21 further objects to this request to the extent it seeks the disclosure of information that is readily
22 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
23 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
24 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
25 parties. Subject to and without waiving its foregoing General and Specific Objections, GSK refers
26 Abbott to its response to Request No. 124.

REQUEST FOR PRODUCTION NO. 122:

All documents relating to your allegation that Abbott took “for itself part or all of the expected and reasonably anticipated benefit of the agreement it entered with GSK.” (Compl. ¶ 50).

RESPONSE TO REQUEST FOR PRODUCTION NO. 122:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to and without waiving its foregoing General and Specific Objections, GSK refers Abbott to its response to Request No. 124.

REQUEST FOR PRODUCTION NO. 123

All documents concerning your allegation or claim that Abbott violated the Covenant of Good Faith and Fair Dealing in Count 2 of your Complaint, including but not limited to: (i) all documents that support your allegations in Count 2; and (ii) all documents upon which you intend to rely at trial.

RESPONSE TO REQUEST FOR PRODUCTION NO. 123:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because this request, if read literally, encompasses every document relating to GSK’s business in designing,

1 developing, manufacturing, selling and distributing protease inhibitors. Further, GSK objects
2 because documents supporting GSK's claims, including those referenced in the Complaint at
3 Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to
4 this request as vague and ambiguous because this request fails to describe the requested documents
5 with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil
6 Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for
7 production of documents and information that are protected by the attorney-client privilege, the
8 informer privilege, the attorney work-product doctrine or any other applicable privilege or
9 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
10 that is readily available from public sources, is equally available to Abbott, or is already in
11 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
12 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
13 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK
14 believes that the documents it will be producing in response to other document requests will
15 include all non-privileged documents from its files used, relied upon or referenced in filing its
16 Complaint. GSK will identify documents it may introduce as evidence at trial at the time and in
17 the manner specified in the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the
18 Local Rules, and any other applicable Orders or rules.

19 **REQUEST FOR PRODUCTION NO. 124**

20 All documents concerning or reflecting the negotiation of the License Agreement.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 124:**

22 GSK incorporates by reference its General Objections. GSK further specifically objects to
23 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
24 objects to this request as vague and ambiguous, particularly as to the term "License Agreement."
25 GSK further objects to this request to the extent that this request calls for production of documents
26 and information that are protected by the attorney-client privilege, the informer privilege, the
27 attorney work-product doctrine or any other applicable privilege or immunity. GSK further
28 objects to this request to the extent it seeks the disclosure of information that is readily available

1 from public sources, is equally available to Abbott, or is already in Abbott's possession. Subject to
2 the foregoing Specific and General Objections, GSK will produce nonprivileged documents
3 located after a reasonable search relating to the negotiation of the agreement between Abbott and
4 GSK dated December 13, 2002 concerning coprescription and coadministration rights to ritonavir.

5 **REQUEST FOR PRODUCTION NO. 125**

6 All documents relating to your allegation that the terms of the License Agreement "were
7 based upon GSK's reasonable expectation ... that future increases in the price of Norvir would be
8 consistent with past increases." (Compl. ¶ 64).

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 125:**

10 GSK incorporates by reference its General Objections. GSK further specifically objects to
11 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
12 documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A
13 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
14 vague and ambiguous because this request fails to describe the requested documents with any
15 particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure
16 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
17 of documents and information that are protected by the attorney-client privilege, the informer
18 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
19 further objects to this request to the extent it seeks the disclosure of information that is readily
20 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
21 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
22 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
23 parties. Subject to and without waiving its foregoing General and Specific Objections, GSK refers
24 Abbott to its response to Request No. 124.

25 **REQUEST FOR PRODUCTION NO. 126**

26 All documents relating to your allegation that Abbott's price increase of Norvir "dashed"
27 GSK's "expectations under the [License Agreement] and thwarted GSK's ability to benefit from
28 the contracted rights." (Compl. ¶ 64).

RESPONSE TO REQUEST FOR PRODUCTION NO. 126:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to and without waiving its foregoing General and Specific Objections, GSK refers Abbott to its response to Request No. 42. GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 127

All documents relating to your allegation that Abbott's price increase of Norvir "devastated the value of the License Agreement." (Compl. ¶ 64).

RESPONSE TO REQUEST FOR PRODUCTION NO. 127:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure

34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties. Subject to and without waiving its foregoing General and Specific Objections, GSK refers Abbott to its response to Request No. 42. GSK believes that the documents it will be producing in response to other document requests will include all non-privileged documents from its files used, relied upon or referenced in filing its Complaint.

REQUEST FOR PRODUCTION NO. 128

All documents concerning your allegation or claim that Abbott violated the North Carolina Unfair Trade Practices Act, as alleged in Count 3 of your Complaint, including but not limited to: (i) all documents that support your allegations in Count 3; and (ii) all documents upon which you intend to rely at trial.

RESPONSE TO REQUEST FOR PRODUCTION NO. 128:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because this request, if read literally, encompasses every document relating to GSK's business in designing, developing, manufacturing, selling and distributing protease inhibitors. Further, GSK objects because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or

1 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
2 that is readily available from public sources, is equally available to Abbott, or is already in
3 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
4 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
5 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK
6 believes that the documents it will be producing in response to other document requests will
7 include all non-privileged documents from its files used, relied upon or referenced in filing its
8 Complaint. GSK will identify documents it may introduce as evidence at trial at the time and in
9 the manner specified in the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the
10 Local Rules, and any other applicable Orders or rules.

11 **REQUEST FOR PRODUCTION NO. 129**

12 All documents relating to your allegation that Abbott “manipulated and exploited its
13 position of power over Norvir.” (Compl. ¶ 70).

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 129:**

15 GSK incorporates by reference its General Objections. GSK further specifically objects to
16 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
17 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
18 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
19 vague and ambiguous because this request fails to describe the requested documents with any
20 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
21 34(b)(1)(A). GSK also objects to the extent this request prematurely seeks expert discovery. GSK
22 further objects to this request to the extent that this request calls for production of documents and
23 information that are protected by the attorney-client privilege, the informer privilege, the attorney
24 work-product doctrine or any other applicable privilege or immunity. GSK further objects to this
25 request to the extent it seeks the disclosure of information that is readily available from public
26 sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects
27 to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to
28 protective orders and/or confidentiality obligations or agreements with third parties. Subject to the

1 foregoing Specific and General Objections, GSK believes that the documents it will be producing
2 in response to other document requests will include all non-privileged documents from its files
3 used, relied upon or referenced in filing its Complaint.

4 **REQUEST FOR PRODUCTION NO. 130**

5 All documents relating to your allegation that Abbott “deliberately deceived its
6 competitors and the public as to the true and illegitimate nature of the price increase.”
7 (Compl. ¶ 71).

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 130:**

9 GSK incorporates by reference its General Objections. GSK further specifically objects to
10 this request on the grounds that it is overbroad, unduly burdensome and oppressive because
11 documents supporting GSK’s claims, including those referenced in the Complaint at Exhibits A
12 and B, are in the possession, custody and control of Abbott. GSK further objects to this request as
13 vague and ambiguous because this request fails to describe the requested documents with any
14 particularity, let alone “reasonable particularity” as required under Federal Rule of Civil Procedure
15 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for production
16 of documents and information that are protected by the attorney-client privilege, the informer
17 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
18 further objects to this request to the extent it seeks the disclosure of information that is readily
19 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
20 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
21 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
22 parties. Subject to the foregoing Specific and General Objections, GSK believes that the
23 documents it will be producing in response to other document requests will include all non-
24 privileged documents from its files used, relied upon or referenced in filing its Complaint.

25 **REQUEST FOR PRODUCTION NO. 131**

26 All documents concerning your allegation or claim that Abbott violated the North Carolina
27 Prohibition Against Monopolization in Count 4 of your Complaint, including but not limited to: (i)
28

1 all documents that support your allegations in Count 4; and (ii) all documents upon which you
2 intend to rely at trial.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 131:**

4 GSK incorporates by reference its General Objections. GSK further specifically objects to
5 this request on the grounds that it is overbroad, unduly burdensome and oppressive because this
6 request, if read literally, encompasses every document relating to GSK's business in designing,
7 developing, manufacturing, selling and distributing protease inhibitors. Further, GSK objects
8 because documents supporting GSK's claims, including those referenced in the Complaint at
9 Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to
10 this request as vague and ambiguous because this request fails to describe the requested documents
11 with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil
12 Procedure 34(b)(1)(A). GSK further objects to this request to the extent that this request calls for
13 production of documents and information that are protected by the attorney-client privilege, the
14 informer privilege, the attorney work-product doctrine or any other applicable privilege or
15 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
16 that is readily available from public sources, is equally available to Abbott, or is already in
17 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
18 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
19 agreements with third parties. Subject to the foregoing Specific and General Objections, GSK
20 believes that the documents it will be producing in response to other document requests will
21 include all non-privileged documents from its files used, relied upon or referenced in filing its
22 Complaint. GSK will identify documents it may introduce as evidence at trial at the time and in
23 the manner specified in the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the
24 Local Rules, and any other applicable Orders or rules.

25 **REQUEST FOR PRODUCTION NO. 132**

26 All documents that substantiate or relate in any way to any damages you allegedly suffered
27 because of Abbott's acts for which you are seeking recovery in this action.
28

RESPONSE TO REQUEST FOR PRODUCTION NO. 132:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive because documents supporting GSK's claims, including those referenced in the Complaint at Exhibits A and B, are in the possession, custody and control of Abbott. GSK further objects to this request as vague and ambiguous because this request fails to describe the requested documents with any particularity, let alone "reasonable particularity" as required under Federal Rule of Civil Procedure 34(b)(1)(A). GSK objects to the extent this request prematurely seeks expert discovery. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties.

REQUEST FOR PRODUCTION NO. 133

All personnel and employment history files for any individual you expect to call as a witness in this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 133:

GSK incorporates by reference its General Objections. GSK further specifically objects that any witness's personnel and employment history files will not lead to the discovery of admissible evidence. GSK objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK objects to the extent this request prematurely seeks identification of trial witnesses. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or

1 immunity. GSK further objects to this request to the extent it seeks the disclosure of information
2 that is readily available from public sources, is equally available to Abbott, or is already in
3 Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK
4 is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or
5 agreements with third parties.

6 **REQUEST FOR PRODUCTION NO. 134**

7 All documents concerning Lexiva, Agenerase, Kaletra or Norvir authored or received by
8 any individual you expect to call as a witness in this lawsuit.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 134:**

10 GSK incorporates by reference its General Objections. GSK further objects to the extent
11 this request prematurely seeks identification of trial witnesses. GSK further specifically objects to
12 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
13 objects to this request as vague and ambiguous. GSK further objects to this request to the extent
14 that this request calls for production of documents and information that are protected by the
15 attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other
16 applicable privilege or immunity. GSK further objects to this request to the extent it seeks the
17 disclosure of information that is readily available from public sources, is equally available to
18 Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it
19 seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or
20 confidentiality obligations or agreements with third parties. Subject to the foregoing Specific and
21 General Objections, GSK will produce nonprivileged documents, to the extent they do not
22 impinge upon individual privacy rights, for its trial witnesses at the time and in the manner these
23 witnesses are identified in accordance with the Federal Rules of Civil Procedure, the Federal Rules
24 of Evidence, the Local Rules, and any other applicable Orders or rules.

25 **REQUEST FOR PRODUCTION NO. 135**

26 All documents created or considered, in connection with this case, by any person whom
27 you or your attorneys expect to use as an expert witness in this lawsuit.

28

RESPONSE TO REQUEST FOR PRODUCTION NO. 135:

GSK incorporates by reference its General Objections. GSK further objects that this request prematurely seeks expert discovery. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the informer privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK further objects to this request to the extent it seeks the disclosure of information that is readily available from public sources, is equally available to Abbott, or is already in Abbott's possession. GSK further objects to this request to the extent it seeks documents that GSK is not permitted to disclose pursuant to protective orders and/or confidentiality obligations or agreements with third parties.

REQUEST FOR PRODUCTION NO. 136

All communications between you and the other counsel in the related actions to this lawsuit.

RESPONSE TO REQUEST FOR PRODUCTION NO. 136:

GSK incorporates by reference its General Objections. GSK further specifically objects to this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further objects to this request as vague and ambiguous. GSK further objects to this request to the extent that this request calls for production of documents and information that are protected by the attorney-client privilege, the attorney work-product doctrine, the joint prosecution privilege or any other applicable privilege or immunity.

REQUEST FOR PRODUCTION NO. 137

All documents reviewed or relied upon by your expert witnesses.

RESPONSE TO REQUEST FOR PRODUCTION NO. 137:

See GSK's Response to Request No. 135.

REQUEST FOR PRODUCTION NO. 138

All documents reviewed or relied upon by your fact witnesses.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 138:**

2 GSK incorporates by reference its General Objections. GSK further specifically objects to
3 this request on the grounds that it is overbroad, unduly burdensome and oppressive. GSK further
4 objects to this request as vague and ambiguous, particularly as to the term "reviewed and relied
5 upon." GSK further objects to this request to the extent that this request calls for production of
6 documents and information that are protected by the attorney-client privilege, the informer
7 privilege, the attorney work-product doctrine or any other applicable privilege or immunity. GSK
8 further objects to this request to the extent it seeks the disclosure of information that is readily
9 available from public sources, is equally available to Abbott, or is already in Abbott's possession.
10 GSK further objects to this request to the extent it seeks documents that GSK is not permitted to
11 disclose pursuant to protective orders and/or confidentiality obligations or agreements with third
12 parties.

13 Dated: April 15, 2008

IRELL & MANELLA LLP
ARNOLD & PORTER LLP

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15
16 By: 
17 Trevor V. Stockinger
18 Attorney for GlaxoSmithKline
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1800 Avenue of the Stars, Suite 900, Los Angeles, California 90067.

On April 15, 2008, I served the foregoing document described as **SUPPLEMENTAL RESPONSE TO ABBOTT LABORATORIES' FIRST SET OF REQUESTS FOR DOCUMENTS AND THINGS TO PLAINTIFF** on each interested party, as follows:

Charles B. Klein
Winston & Strawn LLP
1700 K Street, N.W.
Washington, D.C. 20006-3817
cklein@winston.com

☒ (BY OVERNIGHT DELIVERY SERVICE) I served the foregoing document by FedEx, an express service carrier which provides overnight delivery, as follows. I placed a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed, as set forth above, with fees for overnight delivery paid or provided for.

☒ (BOX DEPOSIT) I deposited such envelopes or packages in a box or other facility regularly maintained by the express service carrier.

☒ (BY ELECTRONIC MAIL) I caused the foregoing document to be served electronically by electronically mailing a true and correct copy through Irell & Manella LLP's electronic mail system to the e-mail address(es), as set forth above, and the transmission was reported as complete and no error was reported.

Executed on April 15, 2008, at Los Angeles, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Joshua Karp
(JKARP@IRELL.COM)
(Type or print name)


(Signature)